

REMARKS

This amendment is responsive to the non-final Office Action issued July 7, 2010. Reconsideration and allowance of claims 1-10 and 15-22 are requested.

The Office Action

Claims 1 and 22 stand rejected under 35 U.S.C. § 102 over Sharma (US 6,656,118).

Claims 2-10 stand rejected under 35 U.S.C. § 103 over Sharma in view of Chiang (US 5,839,442).

Restriction/Election

Dependent claims 15-22 have been rewritten to become part of the elected apparatus Group. Because these claims are now elected claims, the applicant is entitled to have them examined on the merits.

Method claims 11-14 have been cancelled, without prejudice to timely file a divisional application, in order to avoid excess independent claim fees.

**The Claims Distinguish Patentably
Over the References of Record**

Claim 1 calls for a workstation which, among other things, wirelessly transmits diagnostic images to remote units.

By contrast, **Sharma** discloses an ultrasonic scanner which has a monitor **140** for displaying the diagnostic images which it generates. Each of a plurality of ultrasonic scanners sends system event information to an automated support center **190**. The system event information includes such things as a number of patients scanned, patient identification numbers, examination identification numbers, exam categories, date of exam, exam start time, exam end time, active mode time, active exam probes, scanner product name, and calculations made during an exam (Sharma, column 9, lines 25-37). This information is helpful to one to understand how the ultrasonic scanners are being used (Sharma, column 9, lines 51-67). Significant by its absence is any suggestion in Sharma of transmitting images to the automated support center. Indeed, it will be noted in reviewing Figure 1 of Sharma and the description thereof, that the ultrasonic data is conveyed to imaging

mode processing **100**, scan conversion **110**, and display processing **130**, as well as the monitor **140**. These modules are controlled by the control processing **80**. Most importantly, it should be noted that these modules only forward the reconstructed diagnostic image to the monitor **140** of the associated ultrasonic scanner. The web server **120** and the remote connectivity **150** only communicate with the control processing **80**. Hence, only the control parameters, particularly the system events listed above, are available for communications to the automated support center. This is emphasized by the fact that the system events are only transmitted by an ultrasonic scanner periodically, such as once per day (Sharma, column 9, line 1).

Thus, Sharma is concerned with communicating system events from a plurality of ultrasonic diagnostic scanners to a support center **190**; whereas, claim 1 is concerned with sending diagnostic images from a workstation to remote units. Hence, Sharma discloses different structure which operates in a materially different way to achieve a materially different end result than the subject matter of claim 1.

Chiang discloses a portable ultrasound scanner. However, Chiang contains no teaching which would teach one to redesign and reconfigure the Sharma device to perform a materially different function. It is submitted that Chiang does not cure the shortcomings of Sharma.

Accordingly, it is submitted that **claim 1 and claims 2-7, 10, and 15-21 dependent therefrom** are not anticipated by Sharma and distinguish patentably over the references of record.

Claim 8 has been placed in independent form including the subject matter of its parent claims 1 and 2. Claim 8 calls for an electronic camera disposed in the scan room to view a patient on the patient support in the diagnostic scanner. The Examiner erroneously asserts that column 4, line 57 – column 5, line 12 of Sharma disclose such an electronic camera. Rather than being directed to an electronic camera, this section of Sharma is describing the diagnostic scanner, particularly the ultrasound scanner **5**. This section of Sharma makes no suggestion of an electronic camera in addition to the diagnostic scanner **5**, much less a camera and workstation which sends electronic pictures in addition to the ultrasound images. Chiang was not cited as and indeed does not cure this shortcoming of Sharma.

Accordingly, it is submitted that **claim 8** and **claim 9 dependent therefrom** distinguish patentably and unobviously over the references of record.

Claim 22 has been amended to call for a scanner which generates diagnostic images and an optical camera which generates the electronic optical images of the patient disposed in the scanner. Again, neither Sharma nor Chiang disclose or fairly suggest an optical camera which generates optical images of a patient disposed in a diagnostic scanner.

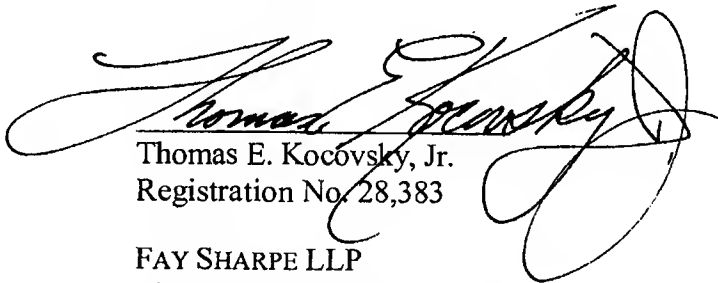
Accordingly, it is submitted that **claim 22** distinguishes patentably and unobviously over the references of record.

CONCLUSION

For the reasons set forth above, it is submitted that claims 1-10 and 15-22 are not anticipated by and distinguish patentably over the references of record and meet all statutory requirements. An early allowance of all claims is requested.

In the event the Examiner considers personal contact advantageous to the disposition of this case, the Examiner is requested to telephone Thomas Kocovsky at 216.363.9000.

Respectfully submitted,



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